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RCE #

EV371746641US

Rev. 09/01 STK-1 DIV3
For Other Than A Small Entity



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. STK-1 DIV3

Examiner D. Romeo
Art Unit 1647

Mail Stop RCE
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION

Sir:

This is a request for continued examination under 37 C.F.R. § 1.114, of pending prior Application No. 09/287,500, (Confirmation No. 6377), filed on April 7, 1999 for

COMPOSITIONS AND THERAPEUTIC METHODS USING MORPHOGENIC PROTEINS AND STIMULATORY FACTORS

1. [X] Please enter the Amendment Pursuant to 37 C.F.R. § 1.116 filed on November 12, 2004 in Application No. 09/287,500 .

2. [] Please consider the arguments in the Appeal Brief or Reply Brief filed on _____ in Application No. _____.

3. [X] A Reply and Amendment Accompanying Request for Continued Examination is enclosed.

4. [] Affidavit(s)/Declaration(s) is/are enclosed.

5. [] An Information Disclosure Statement is enclosed.

6. [] A suspension of action on the above-identified patent application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months.

7. [X] A check in the amount of $790.00 in payment of the fee under 37 C.F.R. § 1.17(e) is enclosed.

8. [] Please charge $790.00 to Deposit Account No. 06-1075 in payment of the fee under 37 C.F.R. § 1.17(e). A duplicate copy of this Request is enclosed.

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9. [X] The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17(e) in connection with this Request, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Request is enclosed.

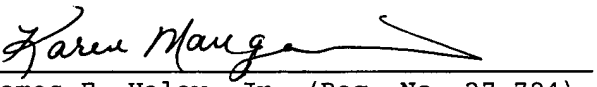
10. [X] Please grant a [] one-month, [] two-month, [X] three-month, [] four-month, extension of time under 37 C.F.R. § 1.136(a) to the Examiner's Action of July 12, 2004 in the above-identified patent application.

11. [X] A check in the amount of $ 870.00* in payment of the extension-of-time fee is enclosed.

12. [X] The Director is hereby authorized to charge payment of any additional extension-of-time fees required under 37 C.F.R. § 1.17 in connection with this paper, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Request is enclosed.

13. [] Please charge the extension-of-time fee of $ _____ to Deposit Account No. 06-1075. A duplicate copy of this Request is enclosed.

January 12, 2005



James F. Haley, Jr. (Reg. No. 27,794)
Karen Mangasarian (Reg. No. 43,772)
Connie Wong (Limited Recognition)
[X] Attorney or agent of record
[] Filed under § 1.34(a)

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* Applicants previously paid $110.00 for a one-month extension of time fee with their Reply filed November 12, 2004. Therefore, applicants are paying the balance of $870.00 for a three-month extension of time fee.

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EV371746641US

PATENTS
Attorney Docket No. STK-1 DIV3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants	:	John C. Lee et al.
Application No.	:	09/287,500 Confirmation No. : 6377
Filed	:	April 7, 1999
For	:	COMPOSITIONS AND THERAPEUTIC METHODS USING MORPHOGENIC PROTEINS AND STIMULATORY FACTORS
Group Art Unit	:	1647
Examiner	:	D. Romeo

New York, New York 10020
January 12, 2005

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Hon. Commissioner for Patents P.O.
Box 1450
Alexandria, Virginia 22313-1450

REPLY AND AMENDMENT ACCOMPANYING
REQUEST FOR CONTINUED EXAMINATION

Sir:

In further response to the July 12, 2004 Final Office Action and in response to the December 15, 2004 Advisory Action, applicants request continued examination and provide the following remarks which are supplementary to applicants' November 12, 2004 Reply, now entered with the request for continued examination. Applicants submit concurrently herewith a Petition for a three-month extension of time under 37 C.F.R. § 1.136(a)

and the fee required under 37 C.F.R. § 1.17(a)(3). With the extension, the deadline for filing a reply is on or before January 12, 2005. Thus, the request for continued examination is timely filed.

Amendments to the Claims are reflected in the listing of claims that begins on page 3 of this paper.

Remarks begin on page 9 of this paper.